

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MICHIGAN

SOUTHERN DIVISION – DETROIT

In the matter of: CITY OF DETROIT, MICHIGAN August 27, 2014 You

Honor Judge Rhodes, Case No. 13-53846-swr  
Chapter 9

Hon. STEVEN W. RHODES

OBJECTION AND COMPLAINT

I S. Baxter Jones a resident in Detroit Michigan and a person who is physically and "Accessibility Challenged," hereby request leave for objection to the "Plan of Adjustment" [Court Docket: #6379], and request that I be allowed to testify independently in the matter of the proposed plan of adjustment's lack of provisions and protections for persons who are labeled disabled but who are indeed "Accessibility Challenged."

I was arrested while exercising my Constitutional 1<sup>st</sup> Amendment Right to assemble and the right to free speech defending the rights of people who are victims of the drastic and indiscriminate campaign of water shut offs, especially those affecting people who are Accessibility Challenged.

On July 18, 2014, my Human and Civil Rights guarantee under Article 1 Section 23 of the Michigan State and 9<sup>th</sup> Amendment of the Federal Constitutions of the were violated I was transported by the Detroit Police Department in a vehicle that was not equipped to transport a person using a wheelchair. which is illegal and unsafe and endangered my general welfare and well being potential life threatening.

I was placed in the back of a unsecured van with no straps for my chair and no safety belt for myself. The van did not provide adequate head room for me to sit upright in my wheelchair.

This caused my spinal cord, Brain and Nervous System to be injured. According to the A.D.A. Project Civic Access, [Exhibit A] (website, [www.ada.gov/civicac.htm](http://www.ada.gov/civicac.htm)), in 2004 the City of Detroit entered an agreement with the U.S. Department of Justice to bring up to code and comply with requirements of the Americans with Disabilities Act (A.D.A.). That agreement expired after 3 years, in 2007. Ten years later in 2014, I was transported in a non-accessible Detroit Police Department vehicle. This incident and countless other examples of inaccessibility prove that the City of Detroit has failed in it's obligation to fully comply with the spirit and intent of A.D.A. laws as prescribed. I am concerned that public safety will not be included as a significant part of the plan of adjustment. Public safety should be inclusive and not exclusive.

Historically, the City of Detroit has minimized or ignored entirely it's obligation to comply with the A.D.A. Accessibility Challenged persons within the City of Detroit are disrespected when not allowed the full protection of all the provisions under the Americans with Disabilities Act of 1990. The City of Detroit's resistance and refusal to fully comply with the A.D.A. is discriminatory and continues to disenfranchise persons who are Accessibility Challenged. This apparently will continue under the Emergency Manager's Plan of Adjustment which IS NOT INCLUSIVE AND DOES NOT ADEQUATELY PROTECT OR PROVIDE FOR PERSONS WHO ARE ACCESSIBILITY CHALLENGED. Furthermore I believe it is my Universal Declaration of Human of Article 1, 2, 3, 5, 6, 7, 8, 9, 10 and Basic Civil Right rights of 42 USC 1983 and others to live a quality lifestyle in an environment that is barrier free and fully accessible. I am also concerned that proposed

privatization and outsourcing of Detroit municipal functions could prove to be potentially harmful to persons who are Accessibility Challenged. With important future financing, and quality of life issues being decided in your court, and by your honor, It would be irresponsible of me not to object to this oversight. With all due respect, I ask this court to reflect carefully on these concerns and order the emergency mgr's proposed "Plan of Adjustment" to include financial considerations for ADA compliant protections, and provisions for Persons who are Accessibility Challenged aka with disabilities.

Mailing address:

Mr. S. Baxter Jones  
P.O. Box 441396  
Detroit, Michigan 48244

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U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

I S Baxter Jones

Creditors/Objectors,

v

In re:

City OF DETROIT, MICHIGAN  
AND EMERGENCY MANAGER  
KEVYN D. ORR

Debtor/City of Detroit

Chapter 9

Case No. 13-53846

Judge Steven W Rhodes

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**PROOF OF SERVICES**

Carl Williams, being first duly sworn deposes and  
your name

Say that on September 23 2014. I sent a copy of Objection and complaint of I S  
Baxter Jones to, upon the concern parties by certified mail at the following

address:

City of Detroit  
Corporation Council  
First National Building  
600 Woodward Ave  
Detroit, Michigan 48226

Emergency Manager  
Kenyn Orr  
Coleman A Young Municipal Center  
2 Woodward 11th floor  
Detroit, Michigan 48226

I/We hereby certify that the statements made herein are true and correct to the best of my knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

Sign Carl Z. Williams